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December 20, 2022

TO: Each Supervisor

FROM: Arlene Barrera, Auditor-Controller

SUBJECT: **SHERIFF'S DEPARTMENT – CARRY CONCEALED WEAPON PROCESS REVIEW (July 12, 2022, Board Agenda Item 22)**

On July 12, 2022, the Board of Supervisors issued a six-part motion titled Investing in Gun Violence Prevention. This report is in response to item six of that motion, which instructs the Auditor-Controller to conduct an audit of the Sheriff's Department (Sheriff or Department) Carry Concealed Weapon (CCW) licensing process. We reviewed the Sheriff's CCW processes and controls to determine if they provide reasonable assurance to management that CCW licenses are issued, renewed, and amended appropriately and timely in accordance with California Penal Code (PC) and Sheriff CCW policies. Our review included interviews with Sheriff management, in-person walkthroughs of the Sheriff's CCW license processes, and reviewing related process documentation.

We noted opportunities to improve the Sheriff's CCW license issuance, renewal, and licensee monitoring processes and controls, which management has agreed to strengthen. For example:

- Sheriff management will strengthen CCW license issuance processes by establishing controls, such as approvals and/or reconciliations, to ensure staff follow departmental processes and only issue and activate licenses for approved applicants. The Sheriff will also separate incompatible duties of staff who issue/activate licenses, and presently also review applications for compliance with CCW requirements and prepare supporting documents/files for license approval.
- Sheriff management will establish processes to enhance the objectivity and consistency of assessing CCW applicants for good moral character in accordance with PC 26150. This will include establishing a minimum definition of good moral character and establishing objective, standardized criteria and requirements/guidelines to help staff perform assessments, identify factors that are disqualifying, and document the basis for good moral character conclusions.
- Sheriff management will implement plans to reduce their CCW application backlog and strengthen processes and controls to ensure applications for CCW licenses, including amendments and renewals, are processed timely and in the order received in accordance with PC and Sheriff requirements, respectively. The Sheriff will also implement controls to ensure CCW license fee checks are immediately endorsed and deposited upon receipt.

NUMBER OF RECOMMENDATIONS	
PRIORITY 1	4
CORRECTIVE ACTION REQUIRED WITHIN 90 DAYS	
PRIORITY 2	7
CORRECTIVE ACTION REQUIRED WITHIN 120 DAYS	
PRIORITY 3	1
CORRECTIVE ACTION REQUIRED WITHIN 180 DAYS	

FAST FACTS

The Sheriff reported 3,426 active CCW licenses issued as of August 2022, and approximately 10,300 applications in-progress and pending review.

The Sheriff reported significant increases in CCW applications received from approximately 990 in 2020, to 7,700 in 2021, and 6,500 as of August 2022.

The Sheriff reported that it currently takes approximately one year to process CCW license applications.

These enhancements will provide greater assurance of appropriate and timely CCW license issuance in compliance with Sheriff policies and PC and will help reduce the potential for inconsistencies in CCW license issuance.

For details of our review, please see Attachment I. The Department's response indicates general agreement with our findings and recommendations and is included in Attachment II.

We thank Sheriff management and staff for their cooperation and assistance during our review. If you have any questions please call me, or your staff may contact Mike Pirolo at mpirolo@auditor.lacounty.gov.

AB:OV:RGC:MP:JO:rs

Attachments

c: Fesia A. Davenport, Chief Executive Officer
Celia Zavala, Executive Officer, Board of Supervisors
Robert Luna, Sheriff

LOS ANGELES COUNTY AUDITOR-CONTROLLER

Robert G. Campbell
ASSISTANT AUDITOR-CONTROLLER

Mike Pirolo
DIVISION CHIEF

AUDIT DIVISION

Report #K23BF

SHERIFF'S DEPARTMENT – CARRY CONCEALED WEAPON PROCESS REVIEW (July 12, 2022, Board Agenda Item 22)

BACKGROUND

California (CA) Penal Code (PC) 26150 and 26170 authorize the Sheriff's Department (Sheriff or Department) to issue Carry Concealed Weapon (CCW) licenses to individuals in Los Angeles County (County) who meet specified conditions. This includes requirements for applicants to show "good cause" for CCW license issuance. However, the United States Supreme Court's New York Rifle & Pistol Association vs. Bruen decision (Bruen decision) held such provisions unconstitutional, and the California Attorney General issued a Legal Alert to CCW licensing authorities on June 24, 2022, advising them to stop applying the good cause test for CCW license issuance. Therefore, we did not include the "good cause" requirement in our review.

As of August 2022, the Sheriff reported approximately 3,400 total active CCW licenses issued to judges, peace officers, and the general public by the Department and another 7,400 in-progress applications for licenses and renewals. In addition, the Sheriff estimates they have approximately 2,900 additional license applications that staff have not started processing. The Sheriff also reported significant increases in the number of CCW applications received from approximately 990 in 2020, to 7,700 in 2021, and 6,500 as of August 2022.

At the Board of Supervisor's (Board) request, we reviewed the Sheriff's CCW processes and controls to determine if they provide reasonable assurance to management that CCW licenses are issued, renewed, and amended appropriately and timely in accordance with the PC and Sheriff policies. This includes processes and controls for evaluating good moral character, assessing mental health issues, ensuring compliance with firearm training requirements, verifying firearm registration and safety, confirming applicant residency or employment within the County, performing background checks including fingerprint scans (Live Scan), approving/denying applications, distributing physical licenses, and monitoring licensees for incidents that necessitate license suspension/revocation. We identified opportunities for improvement as noted below. Our review focused on Sheriff processes for issuing CCW licenses. Therefore, we did not review fiscal processes, such as processes for establishing and collecting license fees and accounting for fee deposits.

TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION

	ISSUE	RECOMMENDATION
1	<p>CCW License Issuance - The Sheriff has processes for staff to review CCW license applications for compliance with various requirements. Sheriff staff perform various steps (e.g., background checks), record their progress in the CCW Tracking System (Tracking System), and compile a hard copy application file with documents/support to submit to supervisors for approval, as discussed in Issue No. 7. After a CCW license application hard copy file is approved, staff enter the licensee details in the CCW License Printing System, print/issue the physical license, and activate the license status in the Tracking System. However, under the current process staff have the ability to issue and activate licenses without any review or approval. While this capability is limited to four key individuals and Sheriff indicated they are</p>	<p>Priority 1 - Sheriff management strengthen the CCW license issuance processes by:</p> <ul style="list-style-type: none"> a) Establishing controls, such as approvals and/or reconciliations, to ensure staff only issue and activate licenses for approved applicants. b) Separating incompatible duties or establishing additional compensating controls for staff who issue and activate licenses. <p>Department Response: Agree Implementation Date: January 1, 2023</p>

Priority Ranking: Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency's operations if corrective action is not taken.

TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION		
	ISSUE	RECOMMENDATION
	<p>not aware of any instances where staff printed and activated licenses without an approved application, they do not have controls to monitor that staff only issued and activated licenses for applicants with an approved application. The Sheriff needs to add controls, such as requiring a system review/approval to issue and activate licenses, and/or reconciling issued/activated licenses and approved applications.</p> <p>During our interviews and walkthrough, we also noted that the same individuals who issue CCW licenses have other CCW licensing duties, which are incompatible and should be separated. Specifically, they also review license applications for compliance with CCW requirements and prepare and submit hard copy files that include applications and supporting documents for supervisor review/approval. The Sheriff should separate these duties or establish additional compensating controls, as required by County Fiscal Manual (CFM) Section 8.4.1.</p> <p>Impact: This weakness increases the risk staff could issue CCW licenses without an approved application and/or to ineligible individuals and that such issuances go undetected.</p>	
2	<p>Good Moral Character Assessments - We noted the Sheriff has processes for evaluating CCW applicants' compliance with the good moral character requirement in accordance with PC 26150. This includes using a checklist to perform steps, such as background checks (e.g., reviewing applicant information in the Sheriff's Justice Data Interface System and Custody Information Portal, reviewing Live Scan results), and conducting in-person interviews to gather information, assess demeanor, and review potentially disqualifying factors such as dishonesty. The Sheriff also maintains related documentation such as Live Scan results and interview notes in a file for each applicant. However, we noted opportunities for the Sheriff to strengthen processes and controls to ensure that applicants' moral character is objectively and consistently evaluated. Specifically:</p> <ul style="list-style-type: none"> The Sheriff does not have a minimum objective definition of "good moral character," such as uniform criteria or guidelines to ensure assessments are performed as consistently as possible. As a result, good moral character assessments have the potential to be more subjective and inconsistent. Controls to enhance 	<p>Priority 1 - Sheriff management improve their good moral character evaluation processes and controls by:</p> <ol style="list-style-type: none"> Establishing a minimum definition of good moral character, such as uniform criteria for denying or revoking a CCW license and guidelines describing the specific steps in the assessment, to ensure assessments are objective and consistent. Establishing and codifying a formal process for staff to compile all information related to a CCW applicant, and to document their conclusion and justification for whether a CCW applicant is of good moral character. <p>Department Response: Agree Implementation Date: December 31, 2022</p>

Priority Ranking: Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency's operations if corrective action is not taken.

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<p>the objectivity and consistency of assessments could include:</p> <ul style="list-style-type: none"> ○ Uniform criteria and specific examples of reasons for denying or revoking CCW licenses (e.g., certain specified arrests or convictions within a defined timeframe, material omissions or provably false statements) and guidance about what other objectively quantifiable factors are appropriate to consider when assessing good moral character. ○ Requirements and guidelines describing the specific steps in an assessment, including systems/records that should be reviewed and information/documents that must be obtained (e.g., arrest reports, restraining orders). <ul style="list-style-type: none"> ● The Sheriff does not have a formal, documented process requiring CCW licensing staff to compile all information they gathered, or to document their conclusion and justification for whether a CCW applicant is of good moral character. <p>Impact: Increased risk that CCW applicants are evaluated subjectively and inconsistently, and that licensure decisions are inadequately supported.</p>	
<p>3 License Application Processing - Backlog - PC 26205 requires the Sheriff to notify applicants of their CCW license approval or denial within 90 days of the initial application or 30 days of receiving the applicant’s criminal background check from the State Department of Justice (DOJ). During our review of the CCW license application processes and controls to ensure applications are processed timely (as noted in Issue No. 4), we noted the Sheriff has a significant processing backlog of CCW applications. The Sheriff reported it is taking them approximately one year to process applications. They are actively processing approximately 7,400 applications and have not started processing another 2,900 applications received.</p> <p>The Sheriff recognizes a backlog exists and indicated it is due to several factors, including the recent increase in applications following the Bruen decision, and lack of dedicated staff to process the volume of applications received (i.e., CCW processing staff are not dedicated solely to CCW processing duties).</p> <p>The Sheriff also indicated they are in the process of dedicating resources to the immediate processing of</p>	<p>Priority 1 - Sheriff management:</p> <ul style="list-style-type: none"> a) Finalize and implement their plans to resolve the CCW license application processing backlog, as noted in the issue. b) Assess proper staffing positions/levels, such as final Undersheriff approval, to help resolve the large number of applications in process. <p>Department Response: Agree Implementation Date: January 1, 2023</p>

Priority Ranking: Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency’s operations if corrective action is not taken.

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<p>CCW applications that are past PC processing deadlines and performing a staffing assessment to determine the number of staff needed to process applications timely. Also, the Sheriff is preparing a budget request for these positions and the equipment needed, procuring an automated solution to expedite application processing (e.g., online application submission systems such as those used by some neighboring counties), and performing a cost study to evaluate if funding (e.g., license fee increases) can be leveraged to offset the cost of processing requirements. However, we noted the Sheriff still needs to finalize and implement these plans to resolve the backlog and help ensure applications are processed in a reasonable amount of time.</p> <p>Given the large number of applications in process, the Sheriff should also assess proper staffing positions/ levels, such as final Undersheriff approval, to help resolve the backlog. In addition, as noted in Issue No. 7, the Sheriff may also be able to reduce their backlog by implementing controls to reject applications from incorporated city residents where the Sheriff does not have an existing agreement to process such applications, in accordance with Sheriff CCW Policy.</p> <p>Impact: CCW license processing backlogs may increase the risk of legal liability by delaying licenses for qualified applicants. Excessive delays in processing CCW applications also risks a loss of public trust in the CCW license issuance program. Additionally, processing delays increase the chance that applicant information (e.g., reported address, employment, firearm registration) has changed, which could result in increased work to process each application.</p>	
<p>4 License Application Processing Timeliness - As mentioned in Issue No. 3, the Sheriff currently has an application processing backlog they are trying to resolve. However, we also noted opportunities to improve their standard processes and controls to ensure that the Sheriff processes applications timely and in the order received, in accordance with PC 26205 and Sheriff requirements, respectively.</p> <p>Specifically, we noted Sheriff staff collects applications in-person and by mail and sends them to the Undersheriff's Office where they open, date stamp, and enter applications in the CCW Tracking System. The Undersheriff's Office will assign applications to</p>	<p>Priority 1 - Sheriff management strengthen processes and controls to ensure applications for CCW licenses, including amendments and renewals, are processed timely and in the order received by:</p> <ul style="list-style-type: none"> a) Establishing a process to track all applications upon receipt. b) Establishing processes to properly track key application information, including processing dates and review results, and perform periodic reviews of application processing data/reports.

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<p>CCW Unit staff for review and the staff indicated they process applications in the order received in accordance with Sheriff requirements. However:</p> <ul style="list-style-type: none"> • The Sheriff does not track applications upon receipt to ensure they are all accounted for and processed within 90 days of receipt as required by PC 26205. We noted the Sheriff does not log/record applications upon receipt and while they annotate the date received on hand delivered applications, they do not capture the date they received mail-in applications. As a result, the Sheriff cannot ensure all applications are accounted for and processed timely. • The Sheriff does not properly track key application information and perform periodic reviews of application data/reports to ensure staff process applications timely and in the order received. We noted the Sheriff tracks some key application information, such as processing dates (e.g., Live Scan results received, notifications to applicant), application types (e.g., standard, judge, reserve officer) and review results (e.g., approved, denied, denial reason). However, the information is tracked in the Tracking System notes and the applicant’s hard copy file, which makes it difficult to aggregate the information for reporting and management review. • The Sheriff should develop processes to properly track key application information and perform periodic reviews of application processing data/reports, to ensure staff process applications timely and in the order received. These process improvements should include evaluating enhancements to the Tracking System, which the Sheriff indicated are already in development. <p>In addition, during our walkthrough and observations of the application review process, we noted:</p> <ul style="list-style-type: none"> • The Sheriff does not have controls to ensure CCW fee payments are endorsed and deposited upon receipt, as required by CFM Section 1.3.2. While our review scope did not include CCW fee collection controls, we noted the Sheriff had approximately 2,900 unprocessed CCW applications and related fee payments that have not been logged, endorsed, or deposited for up to three months. 	<p>c) Implementing controls to ensure CCW license fees are endorsed and deposited in accordance with CFM requirements.</p> <p>d) Restricting access in the CCW Tracking System so users receive only the access or information necessary for their job duties</p> <p>Department Response: Agree Implementation Date: January 1, 2023</p>

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<ul style="list-style-type: none"> The Sheriff does not restrict access in the Tracking System so users receive only the access or information necessary to perform their job duties as required by CFM Section 8.7.4. We noted all staff have the same system access and can perform functions beyond their functional responsibility. For example, staff in the CCW Unit responsible for reviewing/processing applications, could also initiate new applications in the Tracking System, which is the responsibility of staff in the Undersheriff’s Office. This could result in staff inappropriately expediting applications, though our limited review found no evidence this actually occurred. <p>Impact: The Sheriff has approximately 10,300 CCW applications, including renewals and amendments that are pending (i.e., remain unopened) or in-progress. These weaknesses increase the risk applications and CCW fee payments for the 2,900 unprocessed applications (estimated at \$87,000 based on the \$30 application fee at the time of our review), will be lost, delayed, and/or processed out-of-order and for these issues to go undetected by management. This can cause a loss of public trust in the fairness of the CCW license issuance process.</p>	
<p>5 Mental Health Assessments - PC 26190(f)(1) allows but does not require the Sheriff to conduct psychological testing of applicants before issuing a CCW license. However, we noted the Sheriff does not currently have a process to assess mental health concerns that arise during the application review process (e.g., during applicant interviews), including objective criteria for referring an applicant for psychological evaluation or denying CCW applications based on mental health concerns.</p> <p>The Sheriff should evaluate establishing processes and controls to assess information about applicant mental health. For example, processes and controls could include outlining the required steps staff need to perform, such as information they need to obtain, criteria for referring applicants for psychological testing, and criteria for denying a CCW license application for mental health issues.</p> <p>Impact: This weakness increases the risk that CCW applicants are subjected to inconsistent criteria when being evaluated for mental health issues, that mental</p>	<p>Priority 2 - Sheriff management evaluate establishing processes and controls to guide staff in consistently and objectively assessing applicant mental health, including specific situations when it would be appropriate to refer an applicant for psychological testing during the CCW license issuance/renewal process and/or to deny a CCW license based on mental health.</p> <p>Department Response: Agree Implementation Date: January 1, 2023</p>

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	health testing is applied in a subjective or inconsistent manner, and that CCW denials based on potential mental health concerns are not supported by objective evidence or adequately documented.	
6	<p>Monitoring Licensees - We noted the Sheriff has processes to address licensee violations reported by the DOJ, as required by PC 26195, and licensee self-reported incidents, as required by the Department's CCW Terms of Use policy. However, the Sheriff does not have controls to centrally track all reported incidents and DOJ violations to ensure they are accounted for and resolved. The Sheriff also does not have documented, objective criteria for when to suspend/revoke licenses; or processes for reporting revocations to the DOJ and licensee, and for tracking and ensuring physical licenses are returned timely.</p> <p>The Sheriff should strengthen licensee monitoring processes and controls to ensure they make timely assessments of incidents that may impact a licensee's suitability and/or legal ability to retain a CCW license in accordance with PC 26195 and Department policy and track their investigation/review of such incidents to resolution. For example, controls could include a mechanism for the Sheriff to centrally log all reported violations and track follow-up activities, key dates, progress, and results, including physical license return and the required reports back to the DOJ and licensee whenever a license is revoked. Controls could also include guidelines and criteria for staff to follow to ensure consistent steps and decisions related to license revocation or suspension based on objective criteria.</p> <p>Impact: These weaknesses increase the risk that incidents which may impact a licensee's suitability and/or legal ability to retain a CCW license are not consistently followed up on, that CCW license revocation or suspension decisions are made based on inconsistent and/or subjective criteria, and that the Department fails to comply with statutory reporting obligations to the DOJ and individual licensees when suspending or revoking licenses. Not collecting physical licenses timely could result in prohibited individuals retaining their CCW licenses despite no longer having the legal authority to carry a concealed weapon. These weaknesses could also potentially expose the County to legal liability.</p>	<p>Priority 2 - Sheriff management strengthen licensee monitoring processes and controls by:</p> <ul style="list-style-type: none"> a) Establishing controls to track all reported licensee incidents and DOJ violations to ensure accountability from reporting to resolution. b) Developing documented, objective criteria for when to suspend/revoke licenses, and establishing processes for reporting revocations to the DOJ and licensee, and for tracking and ensuring the timely return of physical licenses. <p>Department Response: Agree Implementation Date: January 1, 2023</p>

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<p>7 License Processing – Compliance with Requirements - We noted the Sheriff has processes for staff to review CCW applications for compliance with various requirements and submit them to Sheriff supervisors and managers for approval. This includes verifying applicants reside or work within the County, registered their firearms with the State, and completed firearm training requirements (see Issue No. 2 for the Sheriff’s review of applicants’ compliance with the good moral character requirement). However, we noted control weaknesses and other areas for improvement that prevent the Sheriff from ensuring they review CCW license applications, amendments, and renewals for compliance with certain requirements. Specifically:</p> <ul style="list-style-type: none"> The Sheriff does not have processes and effective controls for staff to reject CCW applications from residents of incorporated cities within the County, in accordance with Sheriff CCW Policy. We noted the Sheriff requires that staff reject applications from residents of incorporated cities unless the applicant has been rejected for a CCW license by their city within 60 days of applying with the Sheriff. During our interviews and walkthrough, staff indicated they are aware of this requirement, but it has not been enforced, and the Sheriff has been processing all applications received from incorporated city residents within the County. The Sheriff should establish controls, such as an item on their application review checklist, to ensure compliance, and/or revise their internal policy to allow applications from residents of incorporated cities without first obtaining a rejection from their local police agency. <p>Additionally, while Sheriff policy requires applicants who reside in an incorporated city and were denied a CCW license by their local police department to attach a copy of the letter of denial to their County CCW license application, the Sheriff has not established formal criteria for staff to follow when evaluating the incorporated city’s reason(s) for the denial and determining whether to proceed with the normal application review.</p> <ul style="list-style-type: none"> The Sheriff does not have effective controls to document the inspection of applicants’ firearms as required by Department policy. Specifically, while the Sheriff requires certified training providers to inspect all firearms listed on the applicant’s CCW 	<p>Priority 2 - Sheriff management improve processes and controls to ensure applications for CCW licenses, including amendments and renewals, are properly reviewed for compliance with CCW requirements by:</p> <ol style="list-style-type: none"> Reminding staff and establishing controls, such as an item on their application review checklist, to reject applications from residents of incorporated cities unless the Sheriff has an existing agreement with the jurisdiction to process such applications, or if the applicant has been rejected for a CCW license by their city within 60 days of applying with the Sheriff. Establishing controls, such as criteria for staff to follow when reviewing applications from residents of incorporated cities and the reasons they were previously denied, to ensure such applications are objectively and consistently reviewed. Establishing controls to ensure that training providers document their inspection of applicants’ firearms for safety and compliance with State and federal firearms law. <p>Department Response: Agree Implementation Date: January 1, 2023</p>

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<p>license to ensure they are “safe, operable, and in compliance with CA state and federal regulations,” the Sheriff’s firearm training certification form does not include a field documenting the inspection occurred or the outcome. This could be addressed by adding a field for the provider’s attestation.</p> <p>Impact: These weaknesses increase the risk that training providers do not inspect or adequately document their inspection of CCW applicant firearms for safety and compliance with legal requirements, as specified in the Sheriff’s CCW Policy. Additionally, processing new CCW license applications for incorporated city residents from jurisdictions which do not contract with the Sheriff for such services may create additional work for CCW unit staff, and contribute to the backlog noted in Issue No. 3.</p>	
<p>8 CCW License Reporting - Sheriff management needs to strengthen processes and controls to ensure CCW license information is reported to State agencies as required by PC 26225.</p> <p>Specifically, licensing authorities must report CCW license and amendment decisions (e.g., license issuance, denial, amendment, revocation) to the DOJ immediately, and the number of licenses issued to judges and peace officers to the State Attorney General annually. We noted the Sheriff has a process to print and mail DOJ reporting forms for CCW license and amendment decisions. However, we noted process and control weaknesses that prevent the Sheriff from meeting State requirements. Specifically:</p> <ul style="list-style-type: none"> • The Sheriff does not have a process to annually report the number of licenses issued to judges and peace officers to the State Attorney General, as required by PC 26225(c)(1). • The Sheriff does not have controls to ensure they report license and amendment decisions to the DOJ, pursuant to PC 26225(b). While they have a standard form for DOJ reporting and indicated they make timely notifications, they do not have controls to support they are sending these forms consistently and timely. Controls could include outlining staff responsibilities (i.e., who is responsible for reporting relevant licensing activity to appropriate State agencies), reporting timeframes, and documentation requirements 	<p>Priority 2 - Sheriff management strengthen processes and controls to ensure CCW license information is reported consistently and timely to appropriate State agencies by:</p> <ol style="list-style-type: none"> Establishing a process to annually report license information for judges and peace officers to the State Attorney General. Establishing controls, such as timeframe and documentation requirements, to report license decisions to the DOJ . <p>Department Response: Agree Implementation Date: January 1, 2023</p>

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	<p>(e.g., documented mailing dates for transmitted forms).</p> <p>Impact: This weakness prevents the Sheriff from ensuring it meets its mandated reporting requirements under PC 26225.</p>	
9	<p>CCW File Security - The Sheriff needs to improve processes for physically securing unattended CCW applicant files to ensure non-public applicant information is protected from unauthorized access, as required by Board Policy 3.041.</p> <p>During our walkthrough of the CCW Unit, we noted approximately 200 CCW license application files left unattended on staff desks. The files include sensitive personally identifiable information, such as birthdates and social security numbers, criminal background checks, detailed records of firearms ownership, copies of driver licenses and other identity documents, and other data that must be safeguarded as required by Board Policy 3.041. Although the building and the CCW Unit office are both physically secured with locks and keycard access, the CCW Unit shares office space with Sheriff Human Resources staff who do not have a business need to access CCW license applicants' information. The Sheriff should implement additional physical security controls for CCW applicant files, such as clean-desk policies that require staff to store and lock unattended applicant files.</p> <p>Impact: This weakness increases the risk of unauthorized disclosure of CCW applicants' personally identifiable information (e.g., name, addresses, social security numbers, and criminal background check information).</p>	<p>Priority 2 - Sheriff management improve processes for physically securing unattended CCW applicant files.</p> <p>Department Response: Agree Implementation Date: December 31, 2022</p>
10	<p>Management Monitoring of Controls - The Sheriff needs to develop ongoing self-monitoring processes to regularly evaluate and document that the following CCW processes and controls are working as intended, as required by CFM Section 1.0.2:</p> <ul style="list-style-type: none"> • License printing/issuance and activation controls • Separation of duties controls • Application, renewal, and amendment tracking and processing timeliness • Application, renewal, and amendment review and approval processes, including good moral character assessments, mental health 	<p>Priority 2 - Sheriff management develop ongoing CCW self-monitoring processes that include:</p> <ul style="list-style-type: none"> a) Examination of process and control activities, such as review of an adequate number of transactions on a regular basis to ensure adherence to Department policy and PC requirements. b) Documenting the monitoring activity and retaining evidence so it can be subsequently validated. c) Elevating material exceptions to management on a timely basis to ensure

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<p>assessments, Live Scan requirements, and incorporated city resident application processing</p> <ul style="list-style-type: none"> • Firearm training certifications and training provider pre-certifications • Firearm inspections for safety and compliance with State and federal law • Licensee monitoring, violation/incident tracking and follow-up, and license suspensions/revocations • License and amendment reporting to applicable State agencies • Physical security of CCW license applicant files <p>Effective self-monitoring processes could include tests or observations examining an adequate number of transactions on a regular basis (e.g., 5-10 weekly, quarterly, semi-annually) to ensure adherence to Department CCW policy and PC requirements and documenting and retaining evidence of this review in a manner that a third-party can subsequently validate.</p> <p>The monitoring process should also ensure material exceptions are elevated to management timely, so they are aware of relative control risk on a timely basis, and that appropriate corrective actions are implemented.</p> <p>Impact: Prevents management from having reasonable assurance the Department is achieving important departmental and CCW license processing objectives. Increases the risk for not promptly identifying and correcting any process/control weaknesses or instances of non-compliance with Department CCW rules and/or PC requirements.</p>	<p>awareness of relative control risk, and that appropriate corrective actions are implemented.</p> <p>Department Response: Agree Implementation Date: January 1, 2023</p>
<p>11 Standards and Procedures - The Sheriff needs to develop written standards and procedures to adequately guide supervisors and staff in the performance of their CCW processing duties for the following areas, as required by CFM Section 8.3.0:</p> <ul style="list-style-type: none"> • License printing/issuance and activation controls. • Separation of duties controls. • Application, renewal, and amendment tracking and processing timeliness. • Good moral character assessments. • Mental health assessments. • Firearm training provider certification and monitoring. 	<p>Priority 2 - Sheriff management develop written standards and procedures, as noted in the issue, to guide supervisors and staff in performing CCW license processing duties.</p> <p>Department Response: Agree Implementation Date: December 31, 2022</p>

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ISSUE	RECOMMENDATION
<ul style="list-style-type: none"> • Firearm inspections for safety and compliance with State and federal law. • Licensee monitoring, incident tracking and follow-up, and license suspensions/revocations. • License and amendment reporting to applicable State agencies. • Physical security of CCW license applicant files. • Self-monitoring processes noted in Issue No. 10. <p>Also, the Sheriff needs to update its existing written standards and procedures for processing applications for residents of incorporated cities to include processes for assessing letters of denial for applications previously denied by an incorporated city.</p> <p>Standards and Procedures should provide detailed guidance to staff and supervisors in the performance of their day-to-day duties and describe how processes are performed.</p> <p>Impact: This weakness significantly increases the risk staff will perform tasks, such as CCW application reviews and license issuance, incorrectly or inconsistently, which could result in inconsistent and/or unauthorized issuance of CCW licenses.</p>	
<p>12 CCW Firearms Training Providers - The Sheriff can strengthen their CCW firearm training provider oversight processes to ensure providers notify the Department of training curriculum changes, in accordance with Department training standards.</p> <p>We noted the Sheriff requires CCW applicants to obtain firearms training which must be administered by Sheriff-certified providers. To become certified, providers must submit documents such as instructor credentials and course materials to show they meet the minimum training standards in Department policy and PC 26165. Sheriff policy also requires providers to submit training program changes (e.g., instructors and curriculum) prior to implementation. However, we noted the Sheriff does not have controls, such as periodic reviews and/or provider attestations, to ensure providers comply with the requirement to submit training program changes prior to implementation. The Sheriff indicated they are developing a process to verify provider compliance through regular inspections. However, the Sheriff still needs to implement this planned process.</p>	<p>Priority 3 - Sheriff management improve their CCW firearm training processes to include:</p> <ul style="list-style-type: none"> a) Establishing a process to periodically monitor firearms training providers and/or obtain periodic attestations to ensure they continue to comply with the Department’s training standards. b) Developing a plan to determine and support whether the Sheriff has a need to certify new firearm training providers as noted in the issue. <p>Department Response: Agree Implementation Date: December 31, 2022</p>

TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION	
ISSUE	RECOMMENDATION
<p>During our interviews and walkthroughs, we also noted the Sheriff is not currently accepting/reviewing new applications for providers and has not evaluated the need to certify new providers. The Sheriff indicated that staffing issues prevent them from certifying new providers. We noted that the Sheriff has not developed a plan or evaluated provider coverage in the County, as well as any funding or staffing needs to support certifying additional providers.</p> <p>Impact: These issues increase the risk that the Sheriff’s 34 certified training providers may fall out of compliance with Department and PC training requirements without detection, resulting in inadequate training for some CCW licensees. By not accepting applications from or certifying new training providers, the Sheriff may be preventing other local businesses from participating in the market for firearms training.</p>	

We conducted our review in conformance with the International Standards for the Professional Practice of Internal Auditing. For more information on our auditing process, including recommendation priority rankings, the follow-up process, and management’s responsibility for internal controls, visit auditor.lacounty.gov/audit-process-information.



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF



November 15, 2022

Arlene Barrera, Auditor-Controller
County of Los Angeles
500 West Temple Street, Room 525
Los Angeles, California 90012

Dear Ms. Barrera:

CARRY CONCEALED WEAPON PROCESS

Attached is the Los Angeles County Sheriff's Department's (Department) Carry Concealed Weapon Unit response to the Carry Concealed Weapon Process Review.

The Department is in general agreement with the report findings and will work to implement the recommendations as soon as possible.

Should you have any questions regarding the Department's response, please contact Lieutenant Chris Kusayanagi, Office of the Undersheriff, at (213) 220-3079.

Sincerely,

ALEX VILLANUEVA, SHERIFF

A handwritten signature in blue ink that reads "Timothy K. Murakami".

TIMOTHY K. MURAKAMI
UNDERSHERIFF

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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**SHERIFF'S DEPARTMENT CARRY CONCEALED WEAPON PROCESS REVIEW
DEPARTMENT ACTION PLAN/RESPONSE**

ISSUE 1: CCW LICENSE ISSUANCE	
A/C Recommendation	<p>Sheriff management strengthen the CCW license issuance processes by:</p> <ul style="list-style-type: none"> a) Establishing controls, such as approvals and/or reconciliations, to ensure staff only issue and activate licenses for approved applicants. b) Separating incompatible duties or establishing additional compensating controls for staff who issue and activate licenses.
Priority	PRIORITY 1
Agree/Disagree	Agree
Department Action Plan ¹	<p>Updated procedures will ensure the issuing deputy has followed several necessary steps to confirm the validity of the license issued. A specific identification number will be added to new physical licenses, and the licenses will be checked and verified periodically by a supervisor. Every new license issued will be documented and stored for any future audit. In addition, the entire process from the beginning to the end will be audited by a supervisor.</p> <p>Additional personnel will greatly assist the unit in separating duties and ensure compliance with established procedures and controls. By having additional personnel, the unit will be able to dedicate specific employees with tasks such as issuing the physical CCW license. The lack of adequate staffing has forced personnel to assume several tasks within the process.</p>
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	Once appropriate staffing levels have been acquired, the implementation will take place within a month.

ISSUE 2: GOOD MORAL CHARACTER ASSESSMENT	
A/C Recommendation	<p>Sheriff management improve their good moral character evaluation processes and controls by:</p> <ul style="list-style-type: none"> a) Establishing a minimum definition of good moral character, such as uniform criteria for denying or revoking a CCW license and guidelines describing the specific steps in the assessment, to ensure assessments are objective and consistent. b) Establishing and codifying a formal process for staff to compile all information related to a CCW applicant, and to document their conclusion and justification for whether a CCW applicant is of good moral character.
Priority	PRIORITY 1
Agree/Disagree	Agree
Department Action Plan ¹	The Sheriff's Department is in the process of developing a process in which an applicant's social media is reviewed. The Sheriff's Department will confer with its legal department to develop a baseline guide that would assist staff in determining whether to reject an applicant for not meeting the good moral character requirement, and also ensuring consistency in those decisions.

	For those applicants that meet the baseline requirements of good moral character, the Sheriff Department's updated policy, and new unit directives, will provide for additional factors the investigators should consider when evaluating the applicant's good moral character. The new policy and directives will also instruct the investigator on how to properly document their findings, ensuring their determination of good moral character or lack thereof, is founded.
Planned Implementation Date	December 31, 2022
Additional Information (optional) ²	The Sheriff's Department has guidelines pertaining to the "good moral character" requirement. CCW investigators review the information provided by applicants, as well as research the applicant's background, criminal history, and information provided during an in-person interview. During the in-person interview, investigators are instructed to evaluate the applicants body language, responses, and determine whether the answers they provide were complete and honest. As was observed in the audit, CCW investigators look at every aspect of the applicant in order to determine whether the "good moral character" requirements are met.

ISSUE 3: LICENSE APPLICATION PROCESSING BACKLOG	
A/C Recommendation	Sheriff management: a) Finalize and implement their plans to resolve the CCW license application processing backlog, as noted in the issue. b) Assess proper staffing positions/levels, such as final Undersheriff approval, to help resolve the large number of applications in process.
Priority	PRIORITY 1
Agree/Disagree	Agree
Department Action Plan ¹	The Sheriff's Department is working on acquiring additional personnel, which is necessary for staff to process applications, and issue licenses, in a timely and reasonable manner. Once the CCW unit has been staffed appropriately, timeframe goals will be implemented and enforced to meet legal requirements. The staffing model for the CCW unit is in the process of being finalized for submission as a projected budget request.
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	

ISSUE 4: LICENSE APPLICATION PROCESSING TIMELINESS	
A/C Recommendation	Sheriff management strengthen processes and controls to ensure applications for CCW licenses, including amendments and renewals, are processed timely and in the order received by: a) Establishing a process to track all applications upon receipt.

	<ul style="list-style-type: none"> b) Establishing processes to properly track key application information, including processing dates and review results, and perform periodic reviews of application processing data/reports. c) Implementing controls to ensure CCW license fees are endorsed and deposited in accordance with County Fiscal Manual requirements. d) Restricting access in the CCW Tracking System so users receive only the access or information necessary for their job duties
Priority	PRIORITY 1
Agree/Disagree	Agree
Department Action Plan ¹	<p>The Sheriff's Department is in the final stages of implementing a system allowing applicants to apply online. The applications will be entered in real time by the applicant. Once the application is entered into the system, the applicant will be able to check the status of the application and where it is in the process. All the applications will be available for a supervisor to view, check on the timeline, and its status. When the application is approaching the deadline, the system will alert the investigator and the supervisor.</p> <p>This system will greatly assist with streamlining the process and ensuring deadlines are met. However, without additional personnel the process will be delayed due to the large number of applications received.</p> <p>In addition, as mentioned in issue number 3, the Sheriff's Department is working on acquiring additional personnel, which is necessary for staff to process applications, and issue licenses, in a timely and reasonable manner. Once the CCW unit has been staffed appropriately, timeframe goals will be implemented and enforced to meet legal requirements. The staffing model for the CCW unit is in the process of being finalized for submission as a projected budget request.</p>
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	An implementation date cannot be determined until the CCW unit has been appropriately staffed.

ISSUE 5: MENTAL HEALTH ASSESSMENTS	
A/C Recommendation	Sheriff management evaluate establishing processes and controls to guide staff in consistently and objectively assessing applicant mental health, including specific situations when it would be appropriate to refer an applicant for psychological testing during the CCW license issuance/renewal process and/or to deny a CCW license based on mental health.
Priority	PRIORITY 2
Agree/Disagree	Agree

ISSUE 5: MENTAL HEALTH ASSESSMENTS	
Department Action Plan ¹	The Sheriff Department is currently working with the Department's Psychological Services Bureau and county counsel to develop specific procedures that would apply where an applicant's mental health is a concern. Several meetings with the Department's psychologists have already taken place, and additional meetings are scheduled with the Department's psychologists. The new procedures will explain how possible mental health concerns will be evaluated and documented. They will also explain the specific procedures of how an applicant's evaluation by mental health professionals will be handled, assuming the psychological evaluation is needed. The current law places a limit on costs that can be placed on the applicant as well as what psychological services may be used for a CCW. Those restrictions can place a significant financial burden on the county.
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	

ISSUE 6: MONITORING LICENSEES	
A/C Recommendation	Sheriff management strengthen licensee monitoring processes and controls by: <ul style="list-style-type: none"> a) Establishing controls to track all reported licensee incidents and DOJ violations to ensure accountability from reporting to resolution. b) Developing documented, objective criteria for when to suspend/revoke licenses; and establishing processes for reporting revocations to the Department of Justice and licensee, and for tracking and ensuring the timely return of physical licenses.
Priority	PRIORITY 2
Agree/Disagree	Agree
Department Action Plan ¹	In addition to an update in CCW policies and development of new procedures, the CCW unit needs additional personnel. Additional personnel will be assigned to monitor and investigate any misconduct, arrest and or contacts with law enforcement officers. Because of the high number of the CCW permits, it is not currently feasible for the unit to check every single permit holder for arrests or contact with law enforcement outside of the current DOJ notifications and/or law enforcement notifying our unit of a permit holder's negative contact with law enforcement, or the arrest of a permit holder. CCW permit holders are also instructed to notify the unit about any negative law enforcement contact, and/or arrests. This information, when provided in a timely manner, is sufficient for the unit to assure each CCW permit holder is in good standing.
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	

ISSUE 7: LICENSE PROCESSING – COMPLIANCE WITH REQUIREMENTS	
A/C Recommendation	<p>Sheriff management improve processes and controls to ensure applications for CCW licenses, including amendments and renewals, are properly reviewed for compliance with CCW requirements by:</p> <ul style="list-style-type: none"> a) Reminding staff and establishing controls, such as an item on their application review checklist, to reject applications from residents of incorporated cities unless the Sheriff has an existing agreement with the jurisdiction to process such applications, or if the applicant has been rejected for a CCW license by their city within 60 days of applying with the Sheriff. b) Establishing controls, such as criteria for staff to follow when reviewing applications from residents of incorporated cities and the reasons they were previously denied, to ensure such applications are objectively and consistently reviewed. c) Establishing controls to ensure that training providers document their inspection of applicants' firearms for safety and compliance with state and federal firearms law.
Priority	PRIORITY 2
Agree/Disagree	Agree
Department Action Plan ¹	<p>The CCW Unit is currently working on updating the Sheriff Department's policy regarding the entire CCW process. This update will include specific information about who can apply for a CCW, and the area where the applicant must reside in order to apply with LASD. Once the online system has been procured, the LASD website will require applicants to first enter their home address to determine if they reside in Sheriff's Department jurisdiction. This additional step will help deter residents of incorporated cities from starting the application process with the Sheriff's Department.</p> <p>The CCW unit is working with County Counsel and the Department's legal team to provide an updated policy, with up to date information, and reflect the recent Supreme Court decision regarding the issuing of CCW permits.</p>
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	

ISSUE 8: CCW LICENSE REPORTING	
A/C Recommendation	<p>Sheriff management strengthen processes and controls to ensure CCW license information is reported consistently and timely to appropriate State agencies by:</p> <ul style="list-style-type: none"> a) Establishing a process to annually report license information for judges and peace officers to the State Attorney General. b) Establishing controls, such as timeframe and documentation requirements, to report license decisions to the Department of Justice.
Priority	PRIORITY 2
Agree/Disagree	Agree

ISSUE 8: CCW LICENSE REPORTING	
Department Action Plan ¹	The CCW Unit currently mails out notification to the DOJ when a license is issued, revoked, or amended. The CCW unit currently sends out information which includes both civilians and judges. The notification goes out in a timely manner and contains all the information requested by the DOJ. The DOJ is responsible for providing information to the California Attorney General. When the information is mailed to the DOJ, it is entered into the CCW tracking system. CCW Unit will report information regarding issued and revoked CCW permits to DOJ and California Attorney General.
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	

ISSUE 9: CCW FILE SECURITY	
A/C Recommendation	Sheriff management improve processes for physically securing unattended CCW applicant files.
Priority	PRIORITY 2
Agree/Disagree	Agree
Department Action Plan ¹	Updated written policy will require all CCW files to be secured away, employees will be prohibited from leaving files open and unattended.
Planned Implementation Date	December 31, 2022
Additional Information (optional) ²	

ISSUE 10: MANAGEMENT MONITORING OF CONTROLS	
A/C Recommendation	Sheriff management develop ongoing CCW self-monitoring processes that include: <ul style="list-style-type: none"> a) Examination of process and control activities, such as review of an adequate number of transactions on a regular basis to ensure adherence to Department policy and Penal Code requirements. b) Documenting the monitoring activity and retaining evidence so it can be subsequently validated. c) Elevating material exceptions to management on a timely basis to ensure awareness of relative control risk, and that appropriate corrective actions are implemented.
Priority	PRIORITY 2
Agree/Disagree	Agree

ISSUE 10: MANAGEMENT MONITORING OF CONTROLS	
Department Action Plan ¹	<p>The Sheriff's Department is in the process of developing a "check list" form. The form will indicate specific steps that the background investigator is required to complete to ensure a thorough and accurate background investigation was performed. Once completed, a supervisor will review the check list, verify the information, and confirm that all the steps on the form are completed.</p> <p>Once the CCW unit becomes a funded unit, it will also be subject to yearly command inspections to be conducted by personnel not assigned to the CCW unit.</p>
Planned Implementation Date	January 1, 2023
Additional Information (optional) ²	

ISSUE 11: STANDARDS AND PROCEDURES	
A/C Recommendation	Sheriff management develop written standards and procedures, as noted in the issue, to guide supervisors and staff in performing CCW license processing duties.
Priority	PRIORITY 2
Agree/Disagree	Agree
Department Action Plan ¹	<p>The Sheriff's Department is in the process of developing a "check list" form. The form will indicate specific steps that the background investigator is required to complete to ensure a thorough and accurate background investigation was performed. Once completed, a supervisor will review the check list, verify the information, and confirm that all the steps on the form are completed.</p> <p>Additionally, the Sheriff's Department is developing specific guidelines, unit directives, and updating its policy regarding the CCW process, background checks, and license issuing.</p>
Planned Implementation Date	December 31, 2022
Additional Information (optional) ²	

ISSUE 12: CCW FIREARMS TRAINING PROVIDERS	
A/C Recommendation	<p>Sheriff management improve their CCW firearm training processes to include:</p> <ul style="list-style-type: none"> a) Establishing a process to periodically monitor firearms training providers and/or obtain periodic attestations to ensure they continue to comply with the Department's training standards. b) Developing a plan to determine and support whether the Sheriff has a need to certify new firearm training providers as noted in the issue.
Priority	PRIORITY 3

ISSUE 12: CCW FIREARMS TRAINING PROVIDERS	
Agree/Disagree	Agree
Department Action Plan ¹	<p>The department has indicated that random audits are the principal method of monitoring authorized vendors. The department request vendors to provide a list of recent students and randomly contact them asking a series of questions to ascertain if approved curriculum is being instructed and timelines being maintained.</p> <p>We suspended processing new applications due to not having the staffing to review applications, conduct interviews and potentially visit prospective vendors training venues. Note, we are unaware of any complaints from the public of not being able to locate an authorized vendor. Fact, LA County has more authorized CCW vendors than any County in California. The list of Vendors will start to expand as staffing permits the completion of application processing.</p>
Planned Implementation Date	December 31, 2022
Additional Information (optional) ²	